

**UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA**  
Richmond Division

|                                 |   |                       |
|---------------------------------|---|-----------------------|
| IN RE:                          | ) |                       |
|                                 | ) |                       |
| JOSEPH ANTHONY NICOTERA         | ) | Case No. 20-31700-KLP |
| CAROLYN MARIE NICOTERA          | ) | Chapter 13            |
|                                 | ) |                       |
| Debtors                         | ) |                       |
|                                 | ) |                       |
| PENTAGON FEDERAL CREDIT UNION   | ) |                       |
|                                 | ) |                       |
| Movant                          | ) |                       |
|                                 | ) |                       |
| v.                              | ) |                       |
|                                 | ) |                       |
| JOSEPH ANTHONY NICOTERA, ET AL. | ) |                       |
|                                 | ) |                       |
| Respondents                     | ) |                       |

**DEBTORS' RESPONSE TO MOTION FOR RELIEF FROM AUTOMATIC STAY**

COME NOW the Debtors, by counsel, and as and for Debtors' Response to Movant's Motion for Relief From the Automatic Stay ("Motion"), state as follows:

1. The allegations contained in paragraphs 1, 2, 3, 4, 5, 6, 8, 9, 10, and 11 of the Motion are admitted.
2. The allegations contained in paragraphs 7, 12, 13, and 14 of the Motion are denied and the Debtors demand strict proof thereof.

WHEREFORE, the Debtors respectfully request that the Motion for Relief From the Automatic Stay be denied, and for such other relief as the Court deems appropriate.

James E. Kane (VSB #30081)  
KANE & PAPA, P.C.  
1313 East Cary Street  
Richmond, VA 23219  
Telephone: (804) 225-9500  
Facsimile: (804) 225-9598  
Email: [jkane@kaneandpapa.com](mailto:jkane@kaneandpapa.com)  
*Counsel for Debtors*

JOSEPH ANTHONY NICOTERA  
CAROLYN MARIE NICOTERA

By: /s/ James E. Kane  
Counsel

James E. Kane (VSB #30081)  
KANE & PAPA, P.C.  
1313 East Cary Street  
Richmond, VA 23219  
Telephone: (804) 225-9500  
Facsimile: (804) 225-9598  
Email: [jkane@kaneandpapa.com](mailto:jkane@kaneandpapa.com)  
*Counsel for Debtors*

**CERTIFICATE OF SERVICE**

I hereby certify that on May 27, 2021, I will electronically file the foregoing with the Clerk of Court using the CM/ECF system, which will then send a notification of such filing (NEF) to all parties registered to receive notice thereof.

/s/ James E. Kane  
James E. Kane (VSB #30081)  
KANE & PAPA, P.C.  
1313 East Cary Street  
Richmond, Virginia 23219  
Telephone: (804) 225-9500  
Facsimile: (804) 225-9598  
Email: [jkane@kaneandpapa.com](mailto:jkane@kaneandpapa.com)